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Filing date: **05/21/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                        |  |
|------------------------|--|
| Proceeding             | 91205827   |
| Party                  | Plaintiff<br>Sturgis Motorcycle Rally, Inc.  |
| Correspondence Address | JASON M SNEED<br>SNEED PLLC<br>610 JETTON STREET, SUITE 120-107<br>DAVIDSON, NC 28036<br>UNITED STATES<br>JSneed@SneedLegal.com, Litigation@SneedLegal.com |
| Submission             | Other Motions/Papers   |
| Filer's Name           | Jason M. Sneed   |
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| Signature              | /Jason M. Sneed/   |
| Date                   | 05/21/2013   |
| Attachments            | 2013-05-21 Pretrial Disclosures of SMRI.pdf(96855 bytes )  |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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|                                 |   |                         |
|---------------------------------|---|-------------------------|
| _____                           | ) |                         |
| Sturgis Motorcycle Rally, Inc., | ) |                         |
|                                 | ) |                         |
| Opposer,                        | ) |                         |
|                                 | ) | Opposition No. 91205827 |
| v.                              | ) |                         |
|                                 | ) |                         |
| Charles Nucci,                  | ) |                         |
|                                 | ) |                         |
| Applicant.                      | ) |                         |
| _____                           | ) |                         |

**PRETRIAL DISCLOSURES OF OPPOSER STURGIS MOTORCYCLE RALLY, INC.**

Opposer, Sturgis Motorcycle Rally, Inc. ("SMRI" or "Opposer"), pursuant to Rule 26(a)(3), Federal Rules of Civil Procedure, and 37 C.F.R. § 2.121(e) submits its pretrial disclosures, as follows:

**1. Witnesses from Whom Opposer Intends to Take Testimony and Documents and Things Which May Be Introduced**

- a. Dean Kinney, telephone (605) 347-5336. Mr. Kinney should be contacted only through counsel for Opposer. Documents and things which may be introduced as exhibits during the testimony of Mr. Kinney include those pertaining to Opposer's registered marks and related registrations and applications; the strength of Opposer's applicable marks; the licensing of Opposer's applicable marks; the enforcement of Opposer's applicable marks; and other documents pertaining to the use, protection and enforcement of Opposer's marks; as well as documents pertaining to the claims of Opposer.
- b. Charles Nucci, Applicant. Documents and things which may be introduced as exhibits during the testimony of Mr. Nucci include those pertaining to the claims of Opposer; the activities of Applicant; and the defenses and counterclaims of Applicant.

**2. Witnesses from Whom Opposer Intends to Take Testimony if Necessary and Documents and Things Which May Be Introduced**

- a. Clint Brengle, telephone (605) 347-5336. Mr. Brengle should be contacted only through counsel for Opposer. Documents and things which may be

introduced as exhibits during the testimony of Mr. Brengle is the same as for Mr. Kinney and is incorporated by reference herein.

- b. Karen Simmons, telephone (605) 347-3912. Ms. Simmons should be contacted only through counsel for Opposer. Documents and things which may be introduced as exhibits during the testimony of Mr. Brengle is the same as for Mr. Kinney and is incorporated by reference herein.

Opposer, not having received responses to discovery requests directed to Applicant, reserves the right to amend or supplement these disclosures at a later date.

Dated: May 21, 2013

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jason M. Sneed", is written over a horizontal line.

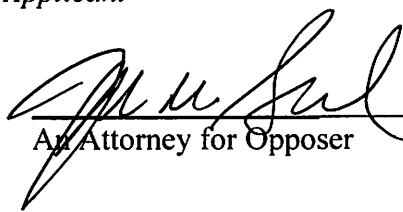
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*Attorney for Opposer, Sturgis Motorcycle  
Rally, Inc.*

**Certificate of Service**

The undersigned counsel of record hereby certifies that a copy of the foregoing *Pretrial Disclosures of Opposer Sturgis Motorcycle Rally, Inc.* was served by placing a copy in U.S. Mail, postage prepaid, this 21<sup>st</sup> day of May, 2013 and addressed to the following:

Ian K. Boyd  
Harvey Siskind LLP  
Four Embarcadero Center, 39th Floor  
San Francisco, CA 94111  
*Attorney for Applicant*

  
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An Attorney for Opposer